

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)
)
Plaintiff,) **INTERSTATE AGREEMENT ON**
) **DETAINERS ORDER**
vs.)
) Case No.: 1:19-cr-073
Emily Jo Andrist,)
)
Defendant.)

On June 3, 2019, defendant made her initial appearance and was arraigned in the above-entitled action. AUSA Jeremy Ensrud appeared on the Government's behalf. The Federal Public Defender's office was appointed to represent defendant in this matter. AFPD Christopher Bellmore appeared on defendant's behalf.

Prior to her initial appearance, defendant was incarcerated by the State of North Dakota at the Dakota Women's Correctional and Rehabilitation Center in New England, North Dakota. After the Indictment in this case was returned and an arrest warrant issued, a detainer was filed by the United States with the North Dakota prison officials. Pursuant to the Interstate Agreement on Detainers Act ("IADA"), defendant's appearance before this court for her initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

At her initial appearance and arraignment, defendant was advised of her rights under the IADA to continued federal custody until the charges set forth in the Indictment are adjudicated. Defendant proceeded to waive in open court her rights under the IADA. Based on the waiver, the court finds that defendant knowingly, voluntarily, and upon advice of counsel waived the anti-shutting provisions of the IADA and agreed to return to the custody of the State of North Dakota

(the "sending state" under the IADA) pending further proceedings in this case initiated by the United States (the "receiving state" under the IADA).

Accordingly, defendant is remanded to the custody of the United States Marshal's Service for the purpose of returning defendant to the custody of the "sending state," where she shall be housed pending further proceedings or until further order of the court. Further, pursuant to defendant's waiver, the return of the defendant to his place of incarceration pending trial shall not be grounds under the IADA for dismissal of the charges set forth in the Indictment.

Dated this 5th day of June, 2019

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court